

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 5823 of 1995

to

FIRST APPEAL No 5852 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

DY COLLECTOR

Versus

KODARSING VIRSING

Appearance:

MR M R ANAND Senior Counsel with MR L R PUJARI AGP for the Appellants.

MR A J PATEL learned advocate for the Respondents.

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 11/07/96

ORAL JUDGEMENT

1. Heard the learned counsel for the respective parties at the admission stage. Appeals are admitted. Mr. A.J.Patel, waives service on behalf of the respondents in

each of these appeals.

2. At the joint request of the learned counsel for the respective parties, these appeals are taken up today for final hearing.

3. As a result of the discussion, and on perusal of all relevant material on record(as referred to by the learned counsel), the submission made by the learned counsel for the respondent is that the acquisition in question is from the village Ranshipur, and that other Land References and the consequent First Appeals arising from acquisitions in the same village, and under notifications of considerable proximity as in the instant group, have already been dealt with by the High Court and the State appeals have been dismissed.

4. In this context, the learned counsel for the respondents referred to my earlier decision dated 15th February, 1996 in First Appeal Nos. 2105/95 to 2128/95. My aforesaid decision is based upon an earlier decision of this Court(Coram: S.D.Shah, J.) dated 7th November, 1995 in First Appeal Nos. 5606/95 to 5618/95.

5. The learned counsel for the appellant has examined these two decisions and finds that there is no controversy that the facts of the instant case and all relevant factors which would govern the determination of the market value in the present group of appeals are substantially the same as the factors which have been dealt with by the aforesaid two decisions.

6. In the premises aforesaid, the impugned judgment and awards challenged in the present group of appeals are required to be upheld and the present appeals are required to be dismissed. Accordingly, the appeals in the present group are dismissed with no order as to costs.

7. The appellant is directed to deposit entire amount of compensation together with cost and interest separately in each Reference in the District Court, latest by 18th October, 1996.
